

**FREDERICK COUNTY
DEVELOPMENT REVIEW OUTREACH MEETING
Session # 41
30 North Market Street, Training Room
October 24, 2008**

MEETING MINUTES

Prior Meeting Minutes: Minutes from the previous meeting and the current agenda were available to the group. These items will also be posted on the website (www.frederick.co.md) for this and subsequent meetings. NOTE: These minutes follow the agenda as distributed; open discussion items are included at the end of these minutes.

Staffing: Betsy Smith provided an update on our staffing issues, including that the Board of County Commissioners recently approved a temporary hiring freeze. This includes any position that is not critical or one for which a written offer has not been made. This affects DPDR as follows:

- Director, Planning – The position of Director of Planning for Development Review is still currently advertised. It is not certain whether the freeze will impact this position or whether it will be appealed.
- Environmental Planner – This position was filled by Mike Wilkins. The responsibilities for this position are still being worked out but will include management of the FRO program.
- Engineering Manager – This position was not filled and is “frozen” for FY09 due to budget constraints.
- Planner I – This position is mainly for Minor Subdivision review but is currently frozen for FY09, due to budget constraints.
- Principal Planner - This position was vacated by Mike Wilkins and is currently frozen for FY 09 due to budget constraints.
- Christine Graham of IIT-GIS will be assigned 30 North Market Street to assist DPDR in scanning project documents. She will remain an IIT employee working primarily for DPDR. She will be located in the DPDR office at 30 N. Market Street on the 3rd floor.

Customer Service Counter: Betsy again requested that customers share with us any problems or concerns as they arise.

- Meetings – Customers that are expected for meetings should sign in and ask to be buzzed up for the meeting; they do not need to take a number and wait in line. Please indicate who you are meeting with, including the County employee.
- Items for drop-off must not have any outstanding fees and there must not be payment for fees in the package. We are still working out the details for a drop box to minimize wait time for these applications at the customer service counter. Betsy also informed the Consultants that if resubmittal fees need to be paid, they could call ahead to one of the Development Review Techs to have an information report (that is required for the Treasurer) faxed or e-mailed to them. This will

allow the fees to be paid at any time prior to resubmittal, not just during submittal.

- Betsy also suggested that Consultants call one of the Techs to verify the number of prints that are required for resubmittal in an effort to reduce the amount of paper that is not necessary and is thrown away. She also stated that 3-ring binders were not necessary as DPDR has extremely limited file space. GBC binding or stapling comps and reports would be just as acceptable. In addition, she announced that any binders that we currently have would be made available for reuse upon request. Contact Kim if interested.

Ag and RC Text Amendments: Betsy informed the group that Planning had their outreach meeting regarding these amendments earlier in the week. She provided a link to the Planning site if anyone was interested in the content of the amendments. The links are:

<http://www.co.frederick.md.us/DocumentView.asp?DID=7827>

<http://www.co.frederick.md.us/DocumentView.asp?DID=7826>

Stormwater Management MD 2007: Betsy provided the link on the agenda to the MDE website that contains the revised regulations. The link is:

<http://www.mde.state.md.us/Programs/WaterPrograms/SedimentandStormwater/swm2007.asp>

The Group was also provided with the schedule of public hearings that MDE has proposed. She stated that she believes that the COMAR code changes are minimal and that it is the design manual that has substantial revisions. Betsy further stated that the revised regulations do not address Municipalities or grandfathering provisions, but do indicate that a draft ordinance must be to MDE by July 1, 2009, and adopted by December 31, 2009. She advised Consultants that are currently laying out the large subdivisions that will have a build-out over a several year period to start looking at the revised regulations now and consider how they would comply with the revised regs as SWM and SEC will have to be incorporated into the initial site design. For more specific information regarding redevelopment, she directed the group to the PowerPoint presentation on the MDE website.

Sight Distance Evaluations: Betsy stated that we have a draft that should go out to the Development Community toward the beginning of November for review and implementation by the first of the year.

ECS Updates:

- Current procedure for grading permits is to submit cost estimate and signed SCD prints when the Improvement Plan mylars are submitted for signature. If it has been more than a few months since SCD signed the mylars (prior to the recent change in policy), ECS may have the SCD signed prints on file. Additional changes to clarify the grading permit application process will be implemented this winter/spring, and will be shared prior to implementation.

- Intake of grading permit applications at the Customer Service Counter is in the planning stages, following process changes described above.
- Following the process revisions, Staff will be working on changes that will make it easier to check permit status on-line.
- The Development Community was reminded that at this time, the Applicant is responsible for tracking their SWM renewal date. ECS is working on establishing a process by which Applicants will receive a 60 day notification letter informing them that their permit is about to expire to assist in the developers management of their fees. For the projects that have been open for years and have multiple years of renewal fees due, staff is looking at alternative solutions (with fee ordinance changes required) but currently the Code requires that these fees be paid.
- Staff's goal is to finalize resolution of these issues, including possible fee changes, prior to July 1, 2009.
- Frederick County is currently going through the MDE sediment and erosion control delegation process. Betsy made a presentation to the BOCC in October to bring them up to speed on the status of our program. If interested, the presentation may be viewed on-line at the County's website.
- Rick Masser is in the field the majority of the time and Cate and Bob are receiving more training for consistency of inspections.
- The development of a Contractor Outreach Subcommittee is being explored to help keep everyone informed through the process changes and to improve enforcement. Currently there is no timeframe for setting up this group but we will keep the Development Community informed of it's development.
- For questions regarding renewal fees, contact Rhonda Greenholtz at 301-600-1132 or rgreenholtz@fredco-md.net.

APFO Updates: As part of the Growth Management Initiative, the County is currently updating the APFO with regards to roads, schools, Life Safety and Fire/Rescue. Schools have already been discussed, contact Kathy Mitchell regarding that presentation in relation Municipalities and minor subdivisions. Fire and Rescue and Life Safety discussion is upcoming and will somewhat mirror Carroll County Code. Tolson DeSa, 301-600-6729 or tdesa@fredco-md.net, may be contacted for any inquiries. There are no changes to Water & Sewer at this time. Roads have been discussed twice with the BOCC primarily for discussion of the general approach. The final discussion on roads will occur in November. Following this next session with the BOCC, Staff will begin writing the code changes. Contact Ron Burns at 301-600-6742 or rburns@fredco-md.net.

Open Discussion:

- The group would like to have representatives from other agencies and departments present, especially DPDR Planning.
- The group would like for the County to form a workgroup to discuss policies and changes to procedures. Most immediate are changes in Hansen. (carried over from the 7/25/08 meeting)
- Wet Season – The Development community is concerned about how the process impacts projects that don't successfully perc;

- 1) current processes require that a great deal of time and money be spent prior to perc approvals. A lot of back and forth with the Health Department is required just to get the approved percs.
 - 2) The FRO for small subdivisions must be included with each submittal. If the project needs FcPc approval, this is required prior to perc testing.
 - 3) Changes in the process that both DPDR and the Health Department agree with are being requested.
- Betsy stated that with the new SWM regulations a concept plan may be required which may help with determining perc sites and improving this process. She also said that that the Subdivision Regulations would have to change to be able to perc before FcPc approvals. The Directors of these divisions will need to participate in addressing these concerns. (carried over from the 7/25/08 meeting)

The following process concerns were raised/re-raised:

1. **PLATS:** Complete package resubmittals force the review of FRO every time (this is not in line with the way development design really occurs);
2. **FEES:** The group was very frustrated with the whole issue of fees and how fee decisions are implemented. They do not feel that concerns they have previously discussed with Gary are being addressed. Betsy is trying to compile a list of Ordinance interpretations that should help clarify fee decisions;
3. **HEALTH DEPARTMENT "ONLY" REVIEWS:** The group does not feel that one additional review is enough, Betsy felt that Gary and George needed to be involved in resolving this;
4. **CODE INTERPRETATION:** The group expressed concern that Code interpretations, including FRO, are arbitrary, inconsistent, and beyond Staff's purview;
5. **ROAD ADEQUACY:** There was lengthy discussion regarding this issue particularly the fact that Life Safety and County Code do not agree. Betsy stated that she and Bryon Mitchell will meet to come up with a protocol to address both road adequacy and common driveway width and get a final resolution on this. For the time being, Betsy advised that **at any point, there may not be less than 16 feet of travelway in either direction.** There will be a \$110 fee associated with DOLS review for road adequacy. This is based on the miscellaneous engineering plan review fee in the Ordinance. Betsy said that she would look into why we require a note on the plat stating that the road is adequate.

Additional items of discussion included:

- The group agreed that they would like to see us update the flowcharts of our processes – they feel that this would help Staff see how long it actually takes to get through the system.
- Betsy invited the group to take a look at all application forms and make suggestions, if changes are warranted, we are amenable to making them.
- The group still feels that the fees in the Hansen on-line report are not as clear as they need to be. Betsy said that we will continue to work with IIT to improve this. The Development Community should provide specific requests that they think would help them.

- Betsy feels that the issue regarding submittal package items not getting to the appropriate person has been resolved. If not, please contact her with specifics.
- Betsy stated that she attended the Hansen conference in Las Vegas to evaluate Hansen Version 8.0. The new version has lots of bells and whistles but the County has not decided whether to upgrade or if upgrading, what packages to purchase.

NEXT MEETING: Friday, January 23, 2009.